IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 481 of 2003

Sakharam Shankar Chipade
and Anr. ...Appellants

V/s

Balu @ Yashwant Tukaram
Chipade and Ors. ...Respondents

Shri Ambar Joshi i/b S.M.Oak for Appellants

CORAM:S.R.SATHE,J.

DATED:22nd June 2005

P.C.:-

1. Heard the learned Advocate for the Appellants.

2. The plaintiffs' suit for partition was dismissed by the trial Court and the said finding is confirmed by the first appellate Court.

3. The learned Advocate for the Appellants submitted that earlier partition vide Exes.35 and 36 which is relied on by the lower Court was in fact not by way of a registered document. The Appellants have not adduced any evidence to support their case and so it

cannot be said that any error of fact or law has been committed by the first appellate Court. No substantial question of law involved in this matter.

4. Hence the appeal is dismissed in limine.

(S.R.SATHE,J.)